

REMARKS

This Second Amendment After Final Rejection is responsive to the Office Action dated April 27, 2007 and is further to (and supplements) the Amendment After Final Rejection filed September 21, 2007.

By this Amendment, claims 27, 29, 30, 36, 41, 46-48, 52 and 53 are amended and claims 28, 32-35, 42, 49-51 and 54 are canceled.

This Second Amendment After Final Rejection is intended to supplement, not replace, the Amendment After Final Rejection filed September 21, 2007. In this regard, amendments are made herein to claims 27, 29, 30, 36, 41, 46-48, 52 and 53 in addition to the amendments made in the Amendment After Final Rejection filed September 21, 2007.

The outstanding Office Action rejects claims 5-7, 9-14, 16, 27, 28, 30-37, 41, 42, 45 and 46 under 35 U.S.C. 103(a) as being allegedly unpatentable over U.S. Patent No. 7,018,663 to Sharony (hereinafter the '663 patent) in view of U.S. Patent No. 6,560,461 to Fomukong et al. (hereinafter the '461 patent). The Office Action rejects claims 29, 43, 44, 47-49 and 52-54 under 35 U.S.C. 103(a) as being allegedly unpatentable over the '663 patent in view of the '461 patent and further in view of U.S. Patent No. 6,927,727 to Cleghorn (hereinafter the '727 patent).

In connection with the further amendments made to the claims in this paper, the following remarks are provided.

In rejecting claims 27, 36, and 41, the Office Action concedes that the '663 patent does not disclose a user initiated location command at the target device, and thus cites the '461 patent. However, the teaching in the '461 patent is for a user initiated command is for a WAN (GPS-based) location procedure, not a user initiated WLAN location procedure.

Thus, when the teachings of the '461 patent and '663 patent are combined, the resulting system/method is one in which a user initiated command initiates a wireless WAN location procedure, not a user initiated WLAN procedure as recited in claims 27, 36 and 41. For these reasons, it is respectfully submitted that claims 27, 36 and 41 (and all of their dependent claims) are non-obvious and therefore patentable over the '663 patent and the '461 patent.

To further clarify the distinctions over the cited references, claims 27, 36 and 41 are further amended herein to further emphasize that the location procedure initiated by a user of the wireless communication device is a wireless local area network (LAN) location procedure, not a wireless wide area network (WAN) location procedure. In addition, the claims are further amended to recite that the location of the device determined by the wireless LAN location procedure is transmitted in a wireless WAN signal to a party via a wireless WAN. This aspect of the invention is described throughout the specification of the present application. None of the cited references teach or suggest that the location of the device (determined through a wireless LAN location procedure) is transmitted via a wireless WAN to a party.

Therefore, it is respectfully submitted that independent claims 27, 36 and 41 are patentable over and above the cited references of record for the reasons set forth herein and the reasons set forth in the Amendment After Final Rejection submitted on September 21, 2007.

Based upon the foregoing, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned so that the present application may receive a prompt Notice of Allowance.

This Second Amendment After Final Rejection is being submitted together with a Request for Continued Examination and Petition for Extension of Time requesting together with the extension of time fees of \$300 (the three month extension of time fee of \$525 less \$225, the two month extension of time fee paid with the Petition for Extension of time submitted with the Amendment After Final Rejection on September 21, 2007).

Applicant hereby petitions for any extension of time that may be necessary to maintain the pendency of this application. The Commissioner is hereby authorized to charge payment of any additional fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

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Respectfully submitted by:

EDELL, SHAPIRO & FINNAN, LLC
CUSTOMER No. 27896
1901 Research Boulevard, Suite 400
Rockville, MD 20850
(301) 424-3640

/D. Andrew Floam/
D. Andrew Floam
Reg. No. 34597